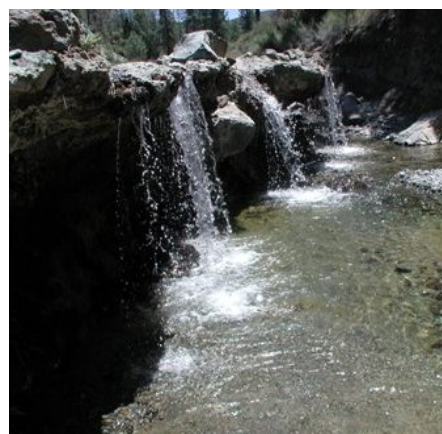


CLEAR CREEK MANAGEMENT AREA PROPOSED RESOURCE MANAGEMENT PLAN & FINAL ENVIRONMENTAL IMPACT STATEMENT

VOLUME I

MARCH 2013



DOI CONTROL NUMBER: FES-12-16

BLM/CA/ES-2012-013+1793

U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT



**CLEAR CREEK MANAGEMENT AREA
PROPOSED RESOURCE MANAGEMENT PLAN**

&

**FINAL ENVIRONMENTAL IMPACT STATEMENT
HOLLISTER, CALIFORNIA**

VOLUME I

Prepared by the
Hollister Field Office

THIS PAGE INTENTIONALLY LEFT BLANK



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Hollister Field Office

20 Hamilton Court

Hollister, CA 95023

Phone (831) 630-5000 Fax (831) 630-5055

<http://www.blm.gov/ca/hollister>

In reply refer to:

1610-5 (P)

CAC090.38

March, 2013

Dear Reader:

Enclosed is the Proposed Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS) for the Clear Creek Management Area (CCMA). This document was prepared by BLM in concert with one cooperating agency, numerous State and local governments, elected officials, non-governmental organizations, and individuals based on comments received by the Hollister Field Office.

The PRMP/FEIS provides a framework for the future management direction of CCMA public lands in southern San Benito County and western Fresno County, California. The PRMP/FEIS contains both land use planning decisions and implementation decisions to provide planning structure to facilitate management of the CCMA public lands.

The Proposed RMP (i.e. "Proposed Action") identified in this PRMP/FEIS (Section 2.5) is the BLM's "preferred alternative" and includes elements incorporated from public involvement during the land use planning process.

Following the public review period for the Draft RMP/EIS, the Off-Highway Motor Vehicle Recreation (OHMVR) Division of California State Parks requested that BLM wait until an independent asbestos exposure study in the CCMA could be prepared before issuing the CCMA Proposed RMP and Final EIS. The BLM agreed to the OHMVR Division's request, and on March 22, 2011 they released a report prepared by scientists from the International Environmental Research Foundation (IERF). After this study was published, the BLM, the OHMVR Division, and other agencies worked together to evaluate the information provided in the study prepared by IERF and the EPA risk assessment to identify areas of agreement and determine a strategy to develop adaptive management criteria for BLM to incorporate new information into travel management plans for the CCMA to allow additional vehicle use in the Serpentine ACEC. In Attachment 3 (Volume II, Appendix X) a letter from the OHMVR Division dated November 19, 2012 outlines the areas of agreement and opportunities for further study.

As described in Attachment 3, BLM and other agency officials agreed that the EPA risk assessment and the IERF report both highlighted the need for further research to determine effective strategies to reduce risk to CCMA visitors. Therefore, the preferred alternative identifies the adaptive management criteria that would allow the BLM management flexibility to modify OHV use restrictions and/or limits on roads and trails available for motorized use in the ACEC, should significant new information become available.

These criteria are located in the Executive Summary (E.S.6) as well as the Preferred Alternative (2.5.3) sections of this document. Should any of these criteria be met, BLM would reassess health risks associated with exposure to asbestos in the ACEC and determine the need for adaptive management that may modify recreation use limitations included under the preferred alternative in this proposed RMP. At a minimum, the BLM will re-examine the body of peer-reviewed data available on this subject within three years following issuance of a record of decision for the CCMA RMP.

The Proposed Action creates a starting point for BLM to reopen the Serpentine ACEC portion of CCMA to limited use for the public. Adaptive management will allow BLM to move forward and implement decisions providing for public use, consider new information on asbestos exposure, and adjust use limitations accordingly.

The PRMP/FEIS contains a summary of changes made since publication of the Draft RMP/EIS, impacts of the Proposed Action, a summary of the written comments received during the public review period for the Draft RMP/EIS, and responses to the comments. A Reader's Guide is included to help you navigate through the chapters of this document, and is located directly after the Abstract.

The PRMP/FEIS is available for a 30-day public protest period beginning on the date the Environmental Protection Agency publishes its Notice of Availability in the *Federal Register*. Pursuant to BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for this PRMP and has an interest which is or may be adversely affected by the planning decisions may protest approval of the planning decisions within 30 days from date the Environmental Protection Agency (EPA) publishes the Notice of Availability in the *Federal Register*. For further information on filing a protest, please see the accompanying protest regulations in the pages that follow (labeled as Attachment # 1). The regulations specify the required elements of your protest. Take care to document all relevant facts. As much as possible, reference or cite the planning documents or available planning records (e.g. meeting minutes or summaries, correspondence, etc.).

Emailed and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the emailed or faxed protest as an advance copy and will afford it full consideration. If you wish to provide the BLM with such advance notification, please direct faxed protests to the attention of Brenda Hudgens-Williams- BLM protest coordinator at 202-245-0028, and emailed protests to: Brenda_Hudgens-Williams@blm.gov.

All protests, including the follow-up letter to emails or faxes, must be in writing and mailed to one of the following addresses:

Regular Mail:

Director (210)
Attn: Brenda Hudgens-Williams
P.O. Box 71383
Washington, D.C. 20024-1383

Overnight Mail:

Director (210)
Attn: Brenda Hudgens-Williams
20 M Street SE, Room 2134LM
Washington, D.C. 20003

Before including your address, phone number, e-mail address, or other personal identifying information in your protest, be advised that your entire protest letter—including your personal identifying information—may be made publicly available at any time. While you may request BLM withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations and businesses, will be available for public inspection in their entirety.

The BLM Director will make every attempt to promptly render a decision on each protest. The decision will be in writing and will be sent to the protesting party by certified mail, return receipt requested. The decision of the BLM Director shall be the final decision of the Department of the Interior on each protest. Responses to protest issues will be compiled and formalized in a Director's Protest Resolution Report made available following issuance of the decisions.

Upon resolution of all land use plan protests, the BLM will issue an Approved RMP and Record of Decision (ROD). The Approved RMP and ROD will be mailed or made available electronically to all who participated in the planning process and will be available to all parties through the "Planning" page of the BLM national website (<http://www.blm.gov/planning>), or by mail upon request.

Unlike land use planning decisions, implementation decisions included in this PRMP/FEIS are not subject to protest under the BLM planning regulations, but are subject to an administrative review process, through appeals to the Office of Hearings and Appeals (OHA), Interior Board of Land Appeals (IBLA) pursuant to 43 CFR, Part 4 Subpart E. Implementation decisions generally constitute the BLM's final approval allowing on-the-ground actions to proceed. Where implementation decisions are made as part of the land use planning process, they are still subject to the appeals process or other administrative review as prescribed by specific resource program regulations once the BLM resolves the protests to land use planning decisions and issues an Approved RMP and ROD. The Approved RMP and ROD will therefore identify the implementation decisions made in the plan that may be appealed to the Office of Hearing and Appeals.

BLM would like to thank the Environmental Protection Agency (our cooperating agency partner), the California Department of Toxic Substances Control, and the OHMVR Division, as well as all the public members of organizations and individuals that contributed to helping us complete this document. The support and expertise provided was important to understanding the issues and developing a management strategy to help resolve resource concerns in the CCMA. The collective experience and dedication of all these groups and individuals has made this a better process and BLM looks forward to continuing to work with them to complete this planning effort.

Sincerely,

A handwritten signature in cursive script that reads "Rick Cooper". The signature is written in dark ink and is positioned above the printed name and title.

Rick Cooper
Field Manager
Hollister Field Office

Attachment 1

Protest Regulations

[CITE: 43CFR1610.5-2]

TITLE 43--PUBLIC LANDS: INTERIOR
CHAPTER II--BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR
PART 1600--PLANNING, PROGRAMMING, BUDGETING--Table of Contents
Subpart 1610--Resource Management Planning
Sec. 1610.5-2 Protest procedures.

- (a) Any person who participated in the planning process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues which were submitted for the record during the planning process.
 - (1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the Federal Register. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.
 - (2) The protest shall contain:
 - (i) The name, mailing address, telephone number and interest of the person filing the protest;
 - (ii) A statement of the issue or issues being protested;
 - (iii) A statement of the part or parts of the plan or amendment being protested;
 - (iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and
 - (v) A concise statement explaining why the State Director's decision is believed to be wrong.
 - (3) The Director shall promptly render a decision on the protest.
- (b) The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested. The decision of the Director shall be the final decision of the Department of the Interior.

ABSTRACT

**CLEAR CREEK MANAGEMENT AREA
PROPOSED RESOURCE MANAGEMENT PLAN &
FINAL ENVIRONMENTAL IMPACT STATEMENT**

☐ Draft Environmental Impact Statement

☒ Final Environmental Impact Statement

Department of Interior, Bureau of Land Management

Type of Action:

☒ Administrative

☐ Legislative

Abstract:

This Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS) describes and analyzes the Proposed RMP (i.e. Proposed Action) for the BLM-administered public lands in the Clear Creek Management Area in California. The Proposed Action provides management recommendations to guide the multiple use management of all resources.

Public Protest:

Interested parties with standing are entitled to submit protest letters if they believe the decisions proposed herein violate existing US statutes, laws, or any other rules and regulations governing public land use. Protests must be received within 30 days of the Federal Register notice of availability. Protests being mailed must be postmarked by close of business on the 30th day.

For further information contact:

Sky Murphy, Planning and Environmental Coordinator
Bureau of Land Management
Hollister Field Office
20 Hamilton Court
Hollister, CA 95023

E-mail: Sky_Murphy@blm.gov

Phone: (831) 630-5000

Fax: (831) 630-5055

THIS PAGE INTENTIONALLY LEFT BLANK

Readers' Guide

Introduction

The Proposed Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS) is divided into six chapters, and includes maps (of the planning area and resources information), an Executive Summary, Appendices, a Glossary, and an Acronyms List.

Executive Summary

The Executive Summary addresses the entire document and highlights the key issues brought forth in the planning process.

Chapter 1

Chapter 1 identifies the purpose and need for the plan, defines the planning area, and explains public participation in the planning process. This chapter identifies the planning criteria used as guidelines influencing all aspects of the process. These guidelines are based on law, regulation, and policy. Also included in this chapter is a description of the involvement of state, local, and federal governments and tribal agencies. The issues developed through public participation and the planning processes are described therein.

Chapter 2

Chapter 2 presents the various management strategies for achieving the desired range of conditions. The PRMP/FEIS includes a detailed description of the goals, objectives, and management actions for each resource or program that are included under the range of alternatives and the Proposed Action. The actions in this PRMP/FEIS are designed to provide general management guidance in most cases. Specific projects for a given area or resource will be detailed in future activity plans or site-specific proposals developed as part of interdisciplinary project planning or other means. These plans and processes address more precisely how a particular area or resource is to be managed and additional National Environmental Policy Act (NEPA) analysis and documentation would be conducted as needed.

A summary comparison of the range of alternatives (Table 2.4-1) and a summary of the proposed action compared to the no action alternative (Table 2.5-1) are also included in this chapter. These sections provide the reader with a general summary of the key management actions for each resource program addressed in the Proposed RMP and Final EIS.

A summary comparison of impacts (Table 2.6) is also included at the end of Chapter 2. This table provides the reader a summary of the adverse and beneficial impacts that would result from implementing the Proposed Action as compared to the range of alternatives analyzed in the CCMA PRMP/FEIS (2009).

Chapter 3

Chapter 3 (Affected Environment) provides an overview of the planning area and describes the existing situation for each of the resource programs. It describes both the biological and physical components that may be affected by the alternatives. Other components of the environment that will not be affected by the range of alternatives are also described, such as wilderness, wild and scenic rivers, and other special designations.

Chapter 4

Chapter 4 (Environmental Consequences) analyzes the beneficial and adverse effects of the Proposed Action. Assumptions used in the analysis are specified at the beginning of the Chapter and under certain resource discussions to help guide the reader through the assessment process. At the end of the analysis of each resource, a discussion of the cumulative effects is provided.

Chapter 5

Chapter 5 summarizes key events in the consultation and coordination process prior to and during preparation of the PRMP/FEIS. It also lists those agencies, organizations, and individuals who were contacted or provided input into the planning process. Also listed are the document team members who prepared this plan.

Chapter 6

Chapter 6 lists the references cited throughout Chapters 1 through 5.

Appendix I

Maps are supplied in Appendix I to assist the reader in comprehending proposed management actions as described in Chapter 2.

Volume II: CCMA Proposed RMP and Final EIS Appendix II – IX, and Appendix X:

Public Comments on the Draft RMP/EIS

Appendices II – IX include supplemental material referenced in the PRMP/FEIS. Appendix X contains a summary of public comments on the CCMA Draft RMP/EIS (2009) and BLM's response to these comments. Volume II also includes two attachments that contain summary reports for the CCMA Draft RMP/EIS public comment meetings (Attachment 1) and the CCMA Draft RMP/EIS socioeconomic workshop (Attachment 2).

Dear Reader:	iii
ABSTRACT	vii
Readers' Guide	ix
ES EXECUTIVE SUMMARY	1
ES.1 Introduction	1
ES.2 Purpose and Need	1
ES.3 Range of Alternatives	2
ES.4 Public Involvement in the Planning Process	3
ES.5 Public Comments on the Draft RMP/EIS	4
ES.6 BLM's Proposed RMP and Adaptive Management Strategy	7
ES.7 Affected Environment	8
ES.8 Environmental Consequences	8
ES.9 Consultation and Coordination	9
1.0 INTRODUCTION	11
1.1 Purpose and Need for the CCMA Resource Management Plan	13
1.2 Planning Area Description	13
1.2.1 Management Zones	15
1.2.2 Planning Approach	15
1.3 Planning Themes and Issues	16
1.3.1 Summary of Major Planning Issues	16
1.3.2 Issues Considered but Not Further Analyzed	16
1.3.2.1 Temporary Closure of Clear Creek Management Area	17
1.3.2.2 Establishing New Off-Highway Vehicle Recreation Areas Outside of CCMA	17
1.3.2.3 Special Designations	18
1.3.2.4 Revised Statute 2477	18
1.4 Planning Criteria	19
1.5 Planning Process	20
1.5.1 Types of Land Use Plan Decisions	21
1.5.2 Relationship to BLM Policies, Plans, and Programs	23
1.6 Collaboration with Other Agencies and Groups	26
1.6.1 Cooperating Agencies	26
1.6.2 Other Federal, State and Local Governments	26
1.6.3 Tribal Relationships	26
1.6.4 Potential Partnerships	26
1.7 Relationship to Other Policies, Plans, and Programs	27
1.7.1 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	27
1.7.2 State Land Use Plans	28
1.7.3 County Plans	28

1.8	Overall Vision	28
1.9	Summary of Public Comments on the Draft RMP/EIS	28
2.0	MANAGEMENT ALTERNATIVES	33
2.1	Overview of the Range of Alternatives	33
2.1.1	Alternatives Considered but Not Analyzed in Detail	36
2.2	Management Common to All Alternatives	38
2.2.1	Area and Route Designation	38
2.2.2	Route Designation Criteria	41
2.2.3	Management Actions Common to All Alternatives	42
2.3	Summary of Proposed RMP (Preferred Alternative)	43
2.3.1	Major Changes to the BLM's "Preferred Alternative"	44
2.3.2	Summary of Proposed RMP (i.e. Proposed Action)	44
2.3.3	Proposed RMP Area and Route Designation	48
2.3.4	Conformance with Regulations	51
2.4	Description of the Alternatives	51
Table 2.4	Comparison of Range of Alternatives	53
Table 2.4	Comparison of Range of Alternatives (cont.)	55
2.4.1	Recreation	57
2.4.2	Hazardous Materials and Public Safety	63
2.4.3	Travel and Transportation Management	64
2.4.4	Biological Resources – Vegetation Resources	71
2.4.5	Biological Resources – Fish and Wildlife	72
2.4.6	Biological Resources – Special Status Species	74
2.4.7	Air Quality	77
2.4.8	Soil Resources	78
2.4.9	Water Resources	80
2.4.10	Special Designations	82
2.4.11	Livestock Grazing	85
2.4.12	Energy and Minerals	89
2.4.13	Cultural Resources	91
2.4.14	Paleontological Resources	93
2.4.15	Social and Economic Conditions	94
2.4.16	Visual Resources Management	95
2.4.17	Fire Management	96
2.4.18	Land and Realty	100
2.5	Description of the Proposed RMP (i.e. Proposed Action)	104
Table 2.5	Comparison of the Current Management "No Action Alternative" and the Proposed RMP/FEIS "Proposed Action"	107
Table 2.5	Comparison of the Current Management "No Action Alternative" and the Proposed RMP/FEIS "Proposed Action" (cont.)	109
2.5.1	Recreation	111
2.5.2	Hazardous Materials and Public Safety	114
2.5.3	Travel and Transportation Management	115
2.5.4	Biological Resources – Vegetation Resources	120
2.5.5	Biological Resources – Fish and Wildlife	122
2.5.6	Biological Resources – Special Status Species	123

2.5.7	Air Quality	124
2.5.8	Soil Resources	125
2.5.9	Water Resources	126
2.5.10	Special Designations	127
2.5.11	Livestock Grazing	129
2.5.12	Energy and Minerals	132
2.5.13	Cultural Resources	133
2.5.14	Paleontological Resources	135
2.5.15	Social and Economic Conditions	136
2.5.16	Visual Resources Management	136
2.5.17	Fire Management	137
2.5.18	Land and Realty	141
2.6	COMPARISON OF IMPACTS BY ALTERNATIVE	143
2.6.1	Recreation	143
2.6.2	HAZMAT and Public Health & Safety	145
2.6.3	Travel and Transportation Management	148
2.6.4	Biological Resources – (Vegetation – Fish & Wildlife – Special Status Species)	152
2.6.5	Air Quality	159
2.6.6	Soil Resources	160
2.6.7	Water Resources	162
2.6.8	Special Designations	163
2.6.9	Livestock Grazing	165
2.6.10	Energy & Minerals	166
2.6.11	Cultural & Paleontological Resources	167
2.6.12	Social and Economic Conditions	168
2.6.13	Visual Resources Management	168
2.6.14	Fire Management	170
2.6.15	Lands & Realty	171
3.0	AFFECTED ENVIRONMENT	172
3.1	Recreation	173
3.1.1	Introduction	173
3.1.2	Regulatory Framework	173
3.1.3	Regional Setting	173
3.1.4	Current Conditions and Trends	174
3.2	Hazardous Materials and Public Health & Safety	179
3.2.1	Introduction	179
3.2.2	Regulatory Framework	179
3.2.3	Regional Setting	180
3.2.4	Current Conditions and Trends	180
3.3	Travel and Transportation Management	187
3.3.1	Introduction	187
3.3.2	Regulatory Framework	187
3.3.3	Regional Setting	188
3.3.4	Current Conditions and Trends	188
3.3.5	Trends and Forecast	190
3.4	Biological Resources – Vegetation	195
3.4.1	Introduction	195
3.4.2	Regulatory Framework	195
3.4.3	Regional Setting	195

3.4.4	Current Conditions and Trends	195
3.5	Biological Resources – Fish and Wildlife	205
3.5.1	Introduction	205
3.5.2	Regulatory Framework	205
3.5.3	Regional Setting	205
3.5.4	Current Conditions and Trends	206
3.6	Biological Resources – Special Status Species	213
3.6.1	Introduction	213
3.6.2	Regulatory Framework	213
3.6.3	Regional Setting	213
3.6.4	Current Conditions and Trends	213
3.6.5	Special Status Species within the Planning Area	214
3.7	Air Quality	231
3.7.1	Introduction	231
3.7.2	Regulatory Framework	231
3.7.3	Regional Setting	232
3.7.4	Current Conditions and Trends	233
3.7.5	Climate Change	235
3.8	Soil Resources	237
3.8.1	Introduction	237
3.8.2	Regulatory Framework	237
3.8.3	Regional Setting	237
3.8.4	Current Conditions and Trends	237
3.9	Water Resources	245
3.9.1	Introduction	245
3.9.2	Regulatory Framework	245
3.9.3	Regional Setting	246
3.9.4	Current Conditions and Trends	247
3.10	Special Designations	253
3.10.1	Introduction	253
3.10.2	Regulatory Framework	253
3.10.3	Current Conditions and Trends	254
3.11	Livestock Grazing	259
3.11.1	Introduction	259
3.11.2	Regulatory Framework	259
3.11.3	Regional Setting	260
3.11.4	Current Conditions and Trends	260
3.12	Energy and Minerals	263
3.12.1	Introduction	263
3.12.2	Regulatory Framework	263
3.12.3	Regional Setting	263
3.12.4	Current Conditions and Trends	264
3.13	Cultural Resources	267
3.13.1	Introduction	267
3.13.2	Regulatory Framework	267
3.13.3	Regional Setting	271
3.13.4	Current Conditions and Trends	287

3.14	Paleontological Resources	310
3.14.1	Introduction	310
3.14.2	Regulatory Framework	310
3.14.3	Regional Setting	310
3.14.4	Current Conditions and Trends	312
3.15	Social and Economic Conditions	314
3.15.1	Introduction	314
3.15.2	Regulatory Framework	314
3.15.3	Regional Setting	314
3.15.4	Current Conditions and Trends	314
3.16	Visual Resource Management	326
3.16.1	Introduction	326
3.16.2	Regulatory Framework	326
3.16.3	Regional Setting	326
3.16.4	Current Conditions and Trends	326
3.17	Fire Management	330
3.17.1	Introduction	330
3.17.2	Regulatory Framework	330
3.17.3	Regional Setting	331
3.17.4	Current Conditions and Trends	331
3.18	Lands and Realty	334
3.18.1	Introduction	334
3.18.2	Regulatory Framework	334
3.18.3	Regional Setting	335
3.18.4	Current Conditions and Trends	335
4.0	ENVIRONMENTAL CONSEQUENCES	338
4.0.1	Impact Analysis Methodology	338
4.0.2	Types of Impacts to be Addressed	339
4.0.3	Incomplete or Unavailable Information	340
4.0.4	Mitigation Measures	340
4.0.5	Assumptions	340
4.1	Recreation	341
4.1.1	Introduction	341
4.1.2	Overview of Impacts	341
4.1.3	Impacts to Recreation from Alternative A	344
4.1.4	Impacts to Recreation Common to Alternatives B, C, D, E, F and G	347
4.1.5	Impacts to Recreation from Alternative B	350
4.1.6	Impacts to Recreation from Alternative C	351
4.1.7	Impacts to Recreation from Alternative D	352
4.1.8	Impacts to Recreation from Alternative E	353
4.1.9	Impacts to Recreation from Alternative F	354
4.1.10	Impacts to Recreation from Alternative G	356
4.1.11	Impacts to Recreation from the Proposed Action	356
4.1.12	Cumulative Effects of Management Alternatives	361
4.1.13	Cumulative Effects of Proposed Action	361
4.2	Hazardous Materials and Public Health & Safety	363
4.2.1	Introduction	363
4.2.2	Limits and Constraints of the Analysis	367

4.2.3	Overview of Impacts to Public Health & Safety from Hazardous Materials	370
4.2.4	Impacts to Public Health & Safety from Alternatives A - G	379
4.2.5	Impacts to Public Health & Safety from the Proposed Action	387
4.2.6	Overview of Impacts to HAZMAT from Other Management Activities	401
4.2.7	Cumulative Effects on HAZMAT and Public Health & Safety	404
4.3	Travel and Transportation Management	407
4.3.1	Introduction	407
4.3.2	Overview of Impacts	407
4.3.3	Impacts to Travel Management for Alternative A	410
4.3.4	Impacts to Travel Management Common to Alternatives B, C, D, E, F, & G	411
4.3.5	Impacts to Travel Management for Alternative B	413
4.3.6	Impacts to Travel Management for Alternative C	414
4.3.7	Impacts to Travel Management for Alternative D	416
4.3.8	Impacts to Travel Management for Alternative E	418
4.3.9	Impacts to Travel Management for Alternative F	419
4.3.10	Impacts to Travel Management for Alternative G	420
4.3.11	Impacts to Travel Management for the Proposed Action	421
4.3.12	Cumulative Effects	426
4.4	Biological Resources – Vegetation	429
4.4.1	Introduction	429
4.4.2	Overview of Impacts to Vegetation	438
4.4.3	Impacts and Mitigation for Alternative A	441
4.4.4	Impacts and Mitigation for Alternative B	442
4.4.5	Impacts and Mitigation for Alternative C	444
4.4.6	Impacts and Mitigation for Alternative D	445
4.4.7	Impacts and Mitigation for Alternative E	447
4.4.8	Impacts and Mitigation for Alternative F	448
4.4.9	Impacts and Mitigation for Alternative G	450
4.4.10	Impacts to Vegetation for the Proposed Action	451
4.4.11	Cumulative Effects	453
4.5	Biological Resources – Fish & Wildlife	455
4.5.1	Introduction	455
4.5.2	Overview of Impacts	455
4.5.3	Impacts and Mitigation for Alternative A, B, C, and D	457
4.5.4	Impacts and Mitigation Common to Alternatives E, F, and G	461
4.5.5	Impacts to Fish & Wildlife from the Proposed Action	463
4.5.6	Cumulative Effects	466
4.6	Biological Resources – Special Status Species	469
4.6.1	Introduction	469
4.6.2	Overview of Impacts to Special Status Plant Species	491
4.6.3	Impacts and Mitigation for Alternative A	493
4.6.4	Impacts and Mitigation for Alternative B	495
4.6.5	Impacts and Mitigation for Alternative C	496
4.6.6	Impacts and Mitigation for Alternative D	497
4.6.7	Impacts and Mitigation for Alternative E	498
4.6.8	Impacts and Mitigation for Alternative F	499
4.6.9	Impacts and Mitigation for Alternative G	501
4.6.10	Impacts to Special Status Plant Species for the Proposed Action	502
4.6.11	Overview of Impacts to Special Status Animal Species	504
4.6.12	Impacts and Management Actions for Alternative A	507
4.6.13	Impacts and Management Actions for Alternatives B and C	507

4.6.14	Impacts and Management Actions for Alternatives E-F	508
4.6.15	Impacts and Management Actions for Alternatives G	508
4.6.16	Impacts to Special Status Animal Species for the Proposed Action	508
4.6.17	Cumulative Effects	511
4.7	Air Quality	513
4.7.1	Introduction	513
4.7.2	Overview of Impacts	514
4.7.3	Impacts and Mitigation for Alternative A	515
4.7.4	Impacts and Mitigation Common to Alternatives B and C	516
4.7.5	Impacts and Mitigation for Alternatives D and E	517
4.7.6	Impacts and Mitigation for Alternatives F and G	518
4.7.7	Impacts to Air Quality for the Proposed Action	518
4.7.8	Cumulative Effects	519
4.8	Soil Resources	523
4.8.1	Introduction	523
4.8.2	Overview of Impacts	528
4.8.3	Impacts and Management Actions for Alternative A	530
4.8.4	Impacts and Management Actions for Alternative B	530
4.8.5	Impacts and Management Actions for Alternative C	531
4.8.6	Impacts and Management Actions for Alternative D	532
4.8.7	Impacts and Management Actions for Alternative E	533
4.8.8	Impacts and Management Actions for Alternative F	534
4.8.9	Impacts and Management Actions for Alternative G	534
4.8.10	Impacts to Soil Resources for the Proposed Action	535
4.8.11	Cumulative Effects	537
4.9	Water Resources	539
4.9.1	Introduction	539
4.9.2	Overview of Impacts	539
4.9.3	Impacts and Mitigation for Alternative A	540
4.9.4	Impacts and Mitigation Common to Alternatives B, C, D, and E	542
4.9.5	Impacts and Mitigation for Alternative F and G	544
4.9.6	Impacts to Water Resources for the Proposed Action	546
4.9.7	Cumulative Effects	549
4.10	Special Designations	553
4.10.1	Introduction	553
4.10.2	Overview of Impacts Common to All Alternatives	554
4.10.3	Impacts and Mitigation Common to All Alternatives	556
4.10.4	Impacts and Mitigation under Alternatives A, B, C, and D	557
4.10.5	Impacts and Mitigation under Alternatives E, F, and G	558
4.10.6	Impacts to Special Designations for the Proposed Action	560
4.10.7	Cumulative Effects	562
4.11	Livestock Grazing	563
4.11.1	Introduction	563
4.11.2	Overview of Impacts	563
4.11.3	Impacts and Mitigation for Alternative A - E	564
4.11.4	Impacts and Mitigation from Alternative F	566
4.11.5	Impacts and Mitigation Under Alternative G	567
4.11.6	Impacts to Rangeland Resources for the Proposed Action	568
4.11.7	Cumulative Effects	570

4.12	Energy and Minerals	571
4.12.1	Introduction	571
4.12.2	Overview of Impacts	571
4.12.3	Impacts and Mitigation for Alternative A	572
4.12.4	Impacts and Mitigation Common to Alternative B and C	573
4.12.5	Impacts and Mitigation for Alternative D, E, and F	574
4.12.6	Impacts and Mitigation for Alternative G	575
4.12.7	Impacts to Energy and Minerals for the Proposed Action	575
4.12.8	Cumulative Effects	577
4.13	Cultural Resources	579
4.13.1	Introduction	579
4.13.2	Overview of Impacts and Mitigation Measures	579
4.13.3	Impacts and Mitigation Common to All Alternatives	585
4.13.4	Impacts and Mitigation for Alternative A (No Action Alternative)	587
4.13.5	Impacts and Mitigation Common to Alternatives B, C and D	589
4.13.6	Impacts and Mitigation for Alternatives E, F, and G	589
4.13.7	Impacts to Cultural Resources for the Proposed Action	592
4.13.8	Cumulative Effects	594
4.14	Paleontological Resources	597
4.14.1	Introduction	597
4.14.2	Overview of Impacts and Mitigation Measures	597
4.14.3	Impacts and Mitigation Common to All Alternatives	600
4.14.4	Impacts and Mitigation for Alternative A (No Action Alternative)	600
4.14.5	Impacts and Mitigation Common to Alternatives B, C and D	601
4.14.6	Impacts and Mitigation for Alternatives E, F, and G	601
4.14.7	Impacts to Paleontological Resources for the Proposed Action	601
4.14.8	Cumulative Effects	604
4.15	Social and Economic Conditions	605
4.15.1	Introduction	605
4.15.2	Overview of Impacts	606
4.15.3	Social and Economic Impacts under Alternatives A, B, C, and D	609
4.15.4	Social and Economic Impacts under Alternatives E, F, and G	610
4.15.5	Impacts to Social and Economic Conditions for the Proposed Action	614
4.15.6	Cumulative Effects	616
4.16	Visual Resources Management	617
4.16.1	Introduction	617
4.16.2	Overview of Impacts	617
4.16.3	Impacts and Mitigation for Alternative A	618
4.16.4	Impacts and Mitigation Common to Alternatives B through G	619
4.16.5	Impacts to Visual Resources for the Proposed Action	620
4.16.6	Cumulative Effects	621
4.17	Fire Management	623
4.17.1	Introduction	623
4.17.2	Overview of Impacts	623
4.17.3	Impacts and Mitigation for Alternative A	626
4.17.4	Impacts and Mitigation Common to Alternatives B through G	627
4.17.5	Impacts for Fire Management for the Proposed Action	629
4.17.6	Cumulative Effects	631
4.18	Lands and Realty	633

4.18.1	Introduction	633
4.18.2	Overview of Impacts from Lands and Realty	633
4.18.3	Impacts and Mitigation for Alternative A	634
4.18.4	Impacts and Mitigation Common to Alternatives B and C	635
4.18.5	Impacts and Mitigation for Alternatives D & E	635
4.18.6	Impacts and Mitigation for Alternative F & G	636
4.18.7	Impacts of Lands and Realty for the Proposed Action	637
4.18.8	Cumulative Effects	638
5.0	CONSULTATION AND COORDINATION	639
5.1	Introduction	639
5.2	Outreach & Public Involvement	639
5.2.1	Notice of Availability of the CCMA Draft RMP/EIS	639
5.2.2	Advertisements and Announcements	639
5.2.3	Project Website	640
5.2.4	Public Meetings	640
5.3	Public Comments on the CCMA Draft RMP/EIS	641
5.4	Partnership and Collaboration Opportunities	643
5.5	List of Preparers	643
6.0	REFERENCES	645
	Acronyms	659
	Glossary	661
	Appendix I - Maps	673

THIS PAGE INTENTIONALLY LEFT BLANK

ES EXECUTIVE SUMMARY

ES.1 Introduction

The Bureau of Land Management (BLM) Hollister Field Office (HFO) has prepared this Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS) to provide direction for managing public lands in the Clear Creek Management Area (CCMA). The HFO manages approximately 63,000 acres of public land within the 75,000-acre CCMA, representing a variety of settings and landforms that host many diverse natural and cultural resources, and offer recreation and other multiple-use opportunities. Since 1984, approximately 30,000 acres of serpentine soils high in asbestos fibers within the CCMA have been designated as the Clear Creek Serpentine Area of Critical Environmental Concern (ACEC) to protect public health and safety.

The CCMA has been managed in accordance with the 1984 Hollister Resource Management Plan (hereafter the '1984 Hollister RMP'), which has been amended several times to address new issues and emerging trends on public lands in CCMA. The Hollister RMP was updated in 2007 to establish goals, objectives, and management actions for BLM public lands that address current issues, knowledge, and conditions. However, BLM-administered lands in CCMA were not addressed in the Hollister RMP (2007) because the Environmental Protection Agency (EPA) was preparing an asbestos exposure and human health risk assessment to provide BLM and the general public information on the exposure levels from various types of activities in the Clear Creek Serpentine ACEC. Therefore, BLM agreed to work with EPA and the public upon completion of the study to incorporate the new health risk information into public land use decisions for the area.

EPA initiated the study in 2004 in connection with the clean-up of the Atlas Asbestos Mine Superfund Site, also in CCMA, and concerns about the technical deficiencies of a 1992 health risk assessment that BLM used to evaluate CCMA visitor's exposure to airborne asbestos fibers in the area. EPA released the [CCMA Asbestos Exposure and Human Health Risk Assessment](#) on May 1, 2008. The result of the study concluded that visiting CCMA more than once per year can put adults and children above EPA's acceptable risk range for exposure to carcinogens and found an increased long-term cancer risk from engaging in many of the typical recreational activities at the CCMA.

In response to new information provided in the CCMA Asbestos Exposure and Human Health Risk Assessment (2008), BLM issued a temporary closure order on May 1, 2008 that closed 30,000-acres within the CCMA's Serpentine ACEC to all public use and entry. The closure order was published in the [Federal Register \(Volume 73, Number 85\)](#), pursuant to 43 CFR 8364.1, to protect public land users from human health risks associated with exposure to airborne asbestos in the CCMA. Subsequently, BLM prepared the CCMA Draft Resource Management Plan and Environmental Impact Statement (2009) to consider the information in the EPA report and analyze a full range of management options and alternatives for the CCMA through the BLM's land use planning process.

ES.2 Purpose and Need

The need to develop the CCMA RMP arose from numerous changes in circumstances since the current land use plan decisions were adopted. There have been several amendments to the 1984 Hollister RMP to address public health and safety and resources protection issues in CCMA. However, many other issues

that are emerging on public lands were not addressed in those amendments. The following list of specific factors illustrates the need for preparation of an updated management plan:

- The EPA's CCMA Asbestos Exposure and Human Health Risk Assessment (2008) provides significant new information that must be incorporated into a land use plan to evaluate the public health risk associated with BLM land use authorizations.
- The current management plan does not specifically address listing and/or additional habitat needs for species protected under the federal 1973 Endangered Species Act (ESA), including the California condor and San Benito evening primrose.
- Changes in social and economic conditions in San Benito County, the San Joaquin Valley, and the entire State of California have led to increased demand for use of public lands for recreation and energy production as well as an increased awareness and social value placed on the cultural and natural resources in the Planning Area.

The purpose of the CCMA RMP is to establish goals, objectives, and management actions for BLM-administered lands in CCMA that address current issues, knowledge, and conditions. The CCMA RMP shall guide the management of the lands and resources administered by the Hollister Field Office in CCMA to achieve the following: 1) minimize asbestos exposure 2) reduce asbestos emissions 3) designate areas in CCMA for motorized, mechanized, and non-motorized/non-mechanized recreation opportunities; 4) protect sensitive natural and cultural resources from impacts due to recreation and other land uses; 5) provide guidance for mineral and energy development; and 6) make other land use authorizations and tenure adjustments. This planning effort is intended to be comprehensive, evaluating existing management plans and identifying regional issues, and resolving those issues through public, interagency, and intra-agency scoping efforts. This effort also identifies the area's "vision", long-range management goals, intermediate objectives, and actions and options for meeting those objectives.

ES.3 Range of Alternatives

The CCMA Draft RMP/EIS identified alternatives to help BLM and interested parties understand the various ways of addressing issues in the region, and evaluated the environmental consequences of revising the 1984 Hollister RMP, as amended. Following public review and comment on the BLM's "preferred alternative" analyzed in the CCMA Draft RMP/EIS (2009), the Hollister Field Office developed this Proposed RMP and Final EIS to incorporate public comments and other agency input. The Proposed RMP (i.e. "Proposed Action") identified in this PRMP/FEIS (Section 2.5) is the BLM's "preferred alternative" and includes elements incorporated from public involvement during the land use planning process.

Based on the purpose and need identified in Chapter 1, the range of alternatives in this PRMP/FEIS includes multiple public use scenarios in the Serpentine ACEC: five of which entail *Motorized access* (Alternatives A, B, C, D, and E), one *Non-motorized access* alternative (Alt. F), and one alternative that considers closure of the Serpentine ACEC to all forms of public entry (Alt. G). The anticipated effects and the need to implement proposed management actions or mitigation measures would vary depending on the public use scenarios associated with each alternative.

The range of alternatives and the "Proposed Action" analyzed in this PRMP/FEIS were designed address emerging issues in the region and evaluate the environmental consequences of the proposed resource management actions to compare them with current management actions and their potential effects on the

human environment. A summary of public comments on the Draft RMP/EIS and the BLM's response is included in Section 1.9.1 and Appendix X of this PRMP/FEIS. Major changes to the Draft RMP/EIS "preferred alternative" that are included in the Proposed Action are also identified in Section 2.3.1 of this PRMP/FEIS.

Upon evaluation of the range of management alternatives and their associated impacts described in the CCMA PRMP/FEIS, BLM identified a "preferred alternative" based on a combination of management actions and objectives from among the range of alternatives. The preferred alternative places an emphasis on public health and safety measures to minimize asbestos exposure, reduce airborne asbestos emissions, and promote outreach and education to inform public land users of the human health risks associated with exposure to asbestos in CCMA.

ES.4 Public Involvement in the Planning Process

Public involvement is a vital component of the resource management planning process and environmental impact statement preparation for vesting the public in the effort and allowing for full environmental disclosure. Guidance for implementing public involvement is codified in 40 CFR 1506.6 and 43 CFR 1610, thereby ensuring that BLM makes a diligent effort to involve the public in the preparation of RMPs EISs. Public involvement for the CCMA RMP was primarily conducted in two phases, as follows:

- Public scoping prior to NEPA analysis to obtain public input on issues, the scope of the analysis, and to develop the proposed alternatives, and
- Public review and comment on the Draft RMP/EIS, which provides disclosure of potential environmental impacts and opportunity to revise the Proposed RMP and Final EIS based on substantive issues and concerns.

A summary of the earlier public scoping process is available in Chapter 5 of the CCMA Draft RMP/EIS (2009) and is not reproduced in this document. A summary of the results of public involvement during the CCMA Draft RMP/EIS review and comment period is presented below. Appendix X provides a summary of comment letters received by the Hollister Field Office from agencies, organizations, and individuals on the Clear Creek Management Area Draft RMP/EIS, and includes responses to these comments prepared by BLM in accordance with 40 CFR 1504.3.

BLM's official public comment period began December 4, 2009, with the publication of the Notice of Availability (NOA) in the Federal Register (Volume 74, Number 232). The comment period was extended to April 19, 2010 to allow further public input following requests from planning numerous participants and elected officials.

Three public meetings were held in January 2010 to promote public involvement in the BLM's CCMA RMP/EIS land use planning process. The purpose of these meetings was to provide information about the range of alternatives considered in the CCMA Draft RMP/EIS and their anticipated environmental effects, and to gather public comments on the BLM's preferred alternative, analysis of environmental impacts, and other feedback on the BLM's land use planning decisions for CCMA.

A social and economic workshop was also held on February 22, 2010 to discuss social and economic issues and concerns associated with the range of alternatives in the CCMA Draft RMP/EIS and to increase public involvement in the land use planning process. The purpose of the workshops was to assist

in characterizing existing conditions and trends in local communities and the wider region that may affect and be affected by land use planning decisions.

These public meetings were attended by representatives from local, state, and federal government agencies, elected officials, numerous clubs and organizations, and other constituents. A total of approximately 1,000 people participated in these meetings according to the sign-in sheets gathered by the Hollister Field Office staff, although the number of people actually in attendance was much greater.

During the public comment period, which extended from December 4, 2009 to April 19, 2010, 5,657 comment submissions were received from individuals, agencies (14), and organizations (30). Many of these were form letters and/or emails containing identical text that had been suggested by environmental interest groups (2,885), private landowners (132), off-highway vehicle organizations (2,177), and rockhounding clubs (12). Each comment letter typically contained multiple comments on the issues addressed in the CCMA Draft RMP/EIS.

ES.5 Public Comments on the Draft RMP/EIS

Based upon the results of public scoping and issues identified in public comments on the CCMA Draft RMP/EIS (2009), the following issues and concerns represent the key themes and priorities that emerged during the planning process. These key themes and priorities are analyzed in the CCMA PRMP/FEIS, in addition to issues identified by BLM personnel, cooperating agencies, state and local governments, and other publics.

Definition of Asbestos and Chrysotile Toxicity - Management of human health and public safety within the CCMA has been the largest source of concern and controversy during development of the plan, as reflected in public comments on the Draft RMP/EIS. Many commenters are concerned about the scientific integrity and accuracy the CCMA Asbestos Exposure and Human Health Risk Assessment released by EPA in 2008. Confusion also remains regarding the differing types of mineral fibers that are included under the definition of the term asbestos. Yet, the CCMA Draft RMP/EIS and Proposed RMP/FEIS both include the definition of asbestos provided by the U.S. Department of Health and Human Services' Agency for Toxic Substances and Disease Registry (Section 4.2.3.1), and the document explains that the two general types of asbestos are amphibole and chrysotile. Although exposure to both types of asbestos increases the likelihood of developing asbestos-related diseases, amphibole fibers tend to stay in the lungs longer. They also are thought to increase the likelihood of illness, especially mesothelioma, to a greater extent than chrysotile asbestos. While there is some debate within the scientific community regarding the varying potencies of the different types of asbestos relative to certain cancers, there is no debate that all types of asbestos cause cancer and debilitating and fatal non-cancer disease.

Independent Study of Naturally Occurring Asbestos and Human Health Risk in CCMA - Many commenters questioned whether it's appropriate for BLM to rely solely on the EPA's CCMA Asbestos Exposure and Human Health Risk Assessment for land use decision-making and called for other independent studies to be completed prior to making a final decision regarding off-highway vehicle use on CCMA public lands.

During the public comment period on the Draft CCMA RMP/EIS, the California State Park Off-Highway Motor Vehicle Recreation Division (OHMVRD) requested that BLM wait until an independent asbestos exposure study in the CCMA could be prepared before issuing the CCMA Proposed RMP and Final EIS. The BLM agreed to the OHMVRD's request, and on March 22, 2011 the OHMVRD released the report, titled "Preliminary Analysis of the Asbestos Exposures Associated with Motorcycle Riding and Hiking in

the Clear Creek Management Area (CCMA) San Benito County, California.” The report was completed by scientists from the International Environmental Research Foundation (IERF), and is linked on the OHMVRD’s website: http://ohv.parks.ca.gov/pages/1140/files/ierf_ccma_final_3_8_11-web.pdf

Upon evaluation of the IERF and EPA studies as well as comments received on the CCMA Draft RMP/EIS, BLM determined that adaptive management criteria would be needed to allow for adjustments to land use in light of new information regarding asbestos exposures. The variability of meteorological conditions and soil moisture in the Serpentine ACEC indicate that greater attention to detail and more information will be helpful to manage all forms of use in the area. The IERF and EPA studies conclude there is a need for more detailed management and a need to consider forms of mitigation to offset exposures to the public while using the area. Through adaptive management BLM is committed to evaluating all new and credible information on strategies for continued public use in the area.

BLM acknowledges that controversy exists regarding the human health risks associated with exposure to naturally occurring asbestos. The EPA risk assessment and the IERF report both highlighted the need for further research to determine effective strategies to reduce risk to CCMA visitors. Therefore, the preferred alternative identifies “adaptive management criteria” that would allow the BLM to make changes to designated route systems and addresses how routes may be modified within the transportation network in the future. The adaptive management criteria were developed in response to the issues and concerns identified in the IERF study and public comments on the CCMA Draft RMP/EIS (2009). If one of these criteria are met, then BLM would reassess CCMA RMP land use decisions associated with human health risks from exposure to airborne asbestos fibers, and potentially apply adaptive management should significant new information become available that warrants modifications to the limits on annual visitor days or the total miles of routes available for motorized use in the ACEC. At a minimum, the BLM will re-examine the body of peer-reviewed data available on this subject within three years following issuance of a record of decision for the CCMA RMP.

Transportation and Travel Management & Recreation Opportunities – Numerous individuals and organizations commented that additional acreage should be included in areas recommended for management of motorized and non-motorized recreation activities. Some commenters felt that motorized access into the Serpentine ACEC should be increased to support rockhounding and that vehicle access to zones outside the ACEC should be improved to enhance OHV recreation and other non-motorized recreation activities. This prompted BLM to revisit the route network considered under the range of alternatives for the CCMA Draft RMP/EIS in order to address concerns about public access and recreational opportunities in this PRMP/FEIS.

As a result, approximately 21 additional miles of vehicle routes in the Serpentine ACEC have been added to the area designations for limited vehicle use under the Proposed Action that include major routes R1, R10, R13, R14, R15, and other minor routes including T103, T104, T151, T153, and T158. Similarly, an additional 2.75 miles of existing routes are proposed to be designated open in the Condon Zone and an additional 2.75 miles of existing routes are proposed to be designated open in the Cantua Zone near Wright Mountain. These additional routes provide outstanding opportunities for recreational access at a level that merits their inclusion in the Proposed Action and meets the area and route designation criteria outlined in Section 2.3.3 and Appendix II of this PRMP/FEIS.

The Proposed RMP clarifies that only highway-licensed vehicles would be permitted on a total of approximately 32 miles of designated routes within the Serpentine ACEC. While the PRMP/FEIS only considers use by highway-licensed vehicles as appropriate within the Serpentine ACEC, BLM is proposing to allow all-terrain and universal terrain vehicles (ATV/UTV) in the Condon Zone in order to

support limited OHV recreation opportunities and other non-motorized recreation activities like hunting. Similarly, the Cantua Zone would be designated a “limited” vehicle use area that would allow access to highway-licensed vehicles and ATV/UTV’s on designated routes. However, BLM would not designate routes in the Cantua Zone until a Travel Management Plan is approved for the area.

The remaining inventoried route network would be designated “Closed” to vehicle use in the CCMA based on the feasibility of managing risk to human health and the environment from airborne asbestos emissions generated by management and visitor use activities.

Vehicle Use Area and Route Designation Criteria – Many commenters felt that the use of all-terrain vehicles, dirt bikes, and other non-street-licensed vehicles (green sticker vehicles) was appropriate given the types of recreation experiences and benefits called for under the RMP planning criteria. At the same time, concerns were also expressed regarding the need for protection of public land resources and the high potential for illegal off-road use of vehicles in the Serpentine ACEC and San Benito Mountain RNA/WSA that would adversely affect the values for which these special designations were established. Pursuant to 43 CFR 8342.1, BLM developed a standardized and stepwise process specifically to address identified minimization criteria; whereby routes were evaluated relative to a list of criteria such as, resource sensitivity, soil loss, manageability, intended route use, and recreation opportunity. The criteria were combined into four tiers, roughly corresponding to the criteria’s likelihood of requiring route closure.

A complete listing of route designations considered under the range of alternatives for the CCMA Proposed RMP and Final EIS has been inserted into Section D of Appendix II. The route designation tables listed in Section D of Appendix II also provide the results of evaluations prepared for each individual route to determine if they satisfy the area and route designation criteria described in Section 2.3.3 of this PRMP/FEIS. More details of the CCMA area and route designation methodology are located in Appendix II.

The designated routes under the range of alternatives provide varying degrees of access to the public lands within select management zones, and the Limited Use area designation to promote resources protection and minimize conflicts among existing and potential uses of the management area. Routes designated open, under all alternatives, satisfy the resource based route designation criteria. Designated routes under each alternative were selected from routes previously designated as open in the 2006 CCMA RMP amendment.

Land Tenure Adjustments and Land Use Authorizations – BLM received numerous comments from a consortium of private landowners and other interested parties concerned about the potential for disposal of public lands identified in the CCMA Draft RMP/EIS. Particularly, the public lands that BLM proposed to make available for disposal in the Tucker management zone were identified as valuable wildlife habitat and an important component of a successful partnership that’s being developed between private landowners and the California Department of Fish and Game (CDFG) in the Hernandez Valley. The HFO proposed disposal of the public lands surrounding Baker, Byles, and Cane Canyons in the CCMA Draft RMP/EIS citing the lack of administrative access and the potential to develop opportunities for public use and enjoyment in the Tucker management zone. However, due to the issues and concerns associated with disposal of these lands, they would be retained in public ownership under the Proposed Action and BLM would pursue partnerships with local private landowners, non-profit organizations, and CDFG to develop public easements to BLM public lands in the Tucker management zone.

Social and Economic Impacts of CCMA Land Use Decisions --Many of the public comments on the CCMA Draft RMP/EIS raised concerns and identified issues regarding the impacts of CCMA land use decisions on social and economic values to communities in the planning area. These values and the social and economic contributions associated with visitor use activities in CCMA were identified through public scoping and presented in the CCMA Draft RMP/EIS in Section 4.15. The HFO conducted additional outreach following the release of the CCMA Draft RMP/EIS through a social and economic workshop to provide information and gather feedback from private landowners, businesses, elected officials, and other interested parties within the communities most directly affected by BLM's land use decisions for CCMA. The information gathered during the social and economic workshop has been incorporated into the affected environment and environmental consequences chapters of the PRMP/FEIS. A summary report of the information discussed and the public input that was gathered during the workshop is also included in Appendix XI.

Revised Statute 2477 - BLM also received several comments regarding Revised Statute 2477. R.S. 2477 was repealed with the passage of FLPMA of 1976. However, highways established between 1866 and 1976 were grandfathered as valid existing rights. In recent years, there has been growing debate and controversy regarding whether or not certain highways were authorized pursuant to R.S. 2477 and, if so, the extent of the rights obtained. However, the issues related to R.S. 2477 are outside the scope of BLM's land use decisions for transportation and travel management on CCMA public lands because the U.S. Tenth Circuit Court of Appeals ruled that the validity of R.S. 2477 claims can only be determined through the courts (ref. Southern Utah Wilderness Alliance v. BLM (Nos. 04-4071 & 04-4073)).

ES.6 BLM's Proposed RMP and Adaptive Management Strategy

The PRMP/FEIS describes the BLM's Proposed Resource Management Plan (i.e. "Proposed Action") in Section 2.5. The proposed action described in Section 2.5 is the BLM's "preferred alternative". The proposed action primarily reflects the "preferred alternative" analyzed in the CCMA Draft RMP/EIS (2009), and incorporates aspects of the other management alternatives based on public review and comments on the range of alternatives. In determining the appropriate land use for CCMA, BLM considered the planning criteria identified in Section 1.4 with an emphasis on managing risk to employees and the public. The Proposed Action would limit use that 1) creates high levels of asbestos emissions, 2) creates increased opportunity for human exposure to asbestos, and 3) creates a need to conduct intensive management in areas with high concentrations of asbestos.

BLM finds that the proposed action best meets the purpose and need for this project. The proposed action details allowable uses, resources protection measures, and management tools that the HFO would implement in order to protect human health and safety, natural and cultural resources, and the CCMA's unique recreation opportunities, which were overwhelmingly identified as a priority in the public scoping process. The proposed management approach to recreation and travel management in CCMA would allow limited opportunities for visitor use within the Serpentine ACEC. It proposes to provide alternate routes for access to public lands surrounding the ACEC that would not require the public to drive through the ACEC and would create additional recreation opportunities in the surrounding management zones. Limits on annual visitor use days would allow the public to experience the scenic, biological, cultural and geologic features of the Serpentine ACEC within EPA's acceptable risk range for exposure to asbestos, and with less BLM infrastructure and support needs. The proposed action would also provide for improving habitat for endangered species, improved riparian habitat, and an opportunity to reduce soil loss and erosion in areas that are contributing to water quality issues in Clear Creek and the San Benito River.

Pursuant to the National Environmental Policy Act (NEPA), the proposed action meets the purpose and need, as identified in Chapter 1; is viable and reasonable; and provides a mix of resource protection, management use, and development that is responsive to issues identified in scoping and meets the established planning criteria (also identified in Chapter 1), federal laws and regulations, and BLM's land use planning policies.

The BLM acknowledges that controversy exists regarding the health risks of naturally occurring asbestos. Therefore, the following adaptive management criteria were added to the proposed action to demonstrate BLM's willingness to reassess CCMA RMP land use plan decisions associated with human health risks from exposure to airborne asbestos fibers. These adaptive management criteria would allow BLM management flexibility to modify OHV use restrictions and/or limits on roads and trails available for motorized use in the ACEC, should significant new information become available.

- Activity based studies that establish effective strategies for reduction in personal exposure to asbestos from off-highway vehicle recreation.
- Research results in a significant reduction in the toxicity values for asbestos resulting in a reduced excess lifetime cancer risk.
- Chrysotile asbestos is removed from the list of Toxic and Hazardous regulated substances.

Should any of these criteria be met, BLM would reassess, in cooperation with EPA, health risks associated with exposure to asbestos in the ACEC and determine the need for adaptive management that may modify recreation use limitations adopted in this proposed RMP. At a minimum, the BLM will re-examine the body of peer-reviewed data available on this subject within three years following issuance of a record of decision for this CCMA RMP to determine if there's a need to reconsider the decisions in the CCMA RMP. Any adaptive management decisions related to recreation access or motorized vehicle use would need to conform to Executive Order 11644 (Use of Off-Road Vehicles on the Public Lands) and 43 CFR 8342.1 minimization criteria.

ES.7 Affected Environment

Chapter 3, "Affected Environment," provides a general discussion of the Planning Area and then focuses in on those specific lands within the Planning Area that are administered by the BLM. The affected environment descriptions focus on those aspects of the physical, biological, cultural, social, and economic conditions (i.e. "human environment") that could be affected by the management actions prescribed in the range of alternatives.

ES.8 Environmental Consequences

Chapter 4, "Environmental Consequences," identifies the impacts of each management action by resource. Mitigation measures designed to avoid or reduce these impacts are incorporated into the management actions of each alternative. The depth and breadth of the impact analyses presented in this chapter is commensurate with the level of detail of the management actions presented in Chapter 2, and on the availability and/or quality of data necessary to assess impacts. The baseline used for expected impacts is the current conditions in the Planning Area described in Chapter 3. For the purpose of analysis, many management actions are combined among the range of alternatives based on varying levels of motorized or non-motorized access inside the Serpentine ACEC, and other allowable uses, land use authorizations, and the associated mitigation measures for public health and safety.

ES.9 Consultation and Coordination

The BLM is developing the CCMA RMP under the authority and direction of the Federal Land Policy and Management Act (FLPMA) of 1976 (Sec. 202(a)), which states that land use plans shall be developed, maintained, and, when appropriate, revised for the use of the public lands. The CCMA RMP will guide public land management for lands and resources administered by the BLM within the Planning Area for another 10 to 15 years.

The CCMA RMP/EIS provides an updated assessment of resources, uses, conditions, and trends; a forum for enhanced public collaboration and involvement; and a comprehensive impact analysis of reasonable management alternatives and resulting land use decisions. Development of the CCMA RMP/EIS also allows BLM the opportunity to review existing agreements and consider cooperative agreements with other government agencies, including: U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service, California Department of Forestry & Fire Protection (CALFIRE), California Office of Historic Preservation, California Department of Fish & Game, California Regional Water Quality Control Board(s), Monterey Bay Unified Air Pollution Control District, and other local agencies.

The Tachi Yokut tribe of the Santa Rosa Rancheria is the only federally recognized Native American group in the Planning Area. Personal contacts between BLM officials and tribal representatives are routinely scheduled for other planning activities in the Hollister Field Office, and BLM has extended the opportunity to provide input for the RMP revision to the Tachi Yokut tribe throughout the planning process.

THIS PAGE INTENTIONALLY LEFT BLANK